

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

---

No. 16-60386  
Summary Calendar

---

United States Court of Appeals  
Fifth Circuit

**FILED**

December 13, 2016

Lyle W. Cayce  
Clerk

NLRB Docket No. 32-CA-145068

JACK IN THE BOX, INCORPORATED,

Petitioner Cross-Respondent

v.

NATIONAL LABOR RELATIONS BOARD,

Respondent Cross-Petitioner

On Petition for Review and Cross-Application  
for Enforcement of an Order of the  
National Labor Relations Board

Before JONES, WIENER, and CLEMENT, Circuit Judges.

J U D G M E N T

This cause was considered on the petition of Jack In The Box, Incorporated, for review of an order of the National Labor Relations Board and the briefs on file.

It is ordered and adjudged that the petition for review is granted, the Board's decision adverse to Jack In The Box, Incorporated is reversed, and the Board's Cross-Application for Enforcement is denied.

IT IS FURTHER ORDERED that Respondent Cross-Petitioner pay to Petitioner Cross-Respondent the costs on appeal to be taxed by the Clerk of this Court.



Certified as a true copy and issued  
as the mandate on Feb 06, 2017

Attest:

*Jyle W. Cayce*

Clerk, U.S. Court of Appeals, Fifth Circuit